

REMARKS

Claims 1-12 are pending and stand rejected under 35 U.S.C. § 103(a) over Franck, US. Patent No. 6,397,081, in view of Konno, U.S. Patent No. 6,273,739 in further view of Michaelis, U.S. Patent No. 6,106,317. Further, the drawings are objected to.

By this amendment, Applicants traverse the rejections and submit an amended drawing sheet in accord with the Examiner's suggestions. Reconsideration is respectfully requested.

In paragraph 2 of the Office Action, the drawings are objected to because Figures 3b and 3c do not have reference characters corresponding to those in Fig. 3a. Applicant hereby submits an amended drawing sheet to include the reference characters in Fig. 3a. Further, Applicants hereby submit a marked-up copy labeled "Annotated Marked-up Drawings" in accord with 37 C.F.R. § 1.121(d). No new matter has been added by the amendment and approval of the amended drawing is respectfully requested. In view of the foregoing, Applicants have overcome the objections to the drawings. Withdrawal of the objections to the drawings is respectfully requested.

In paragraph 5 of the Office Action, claims 1-12 are rejected under § 103 in light of the references cited above. Applicants respectfully traverse these rejections. The Office Action fails to make out a prima facie case of obviousness because the references, even if combined, fail to include each and every limitation of the claimed invention, for the following reasons. M.P.E.P. § 2143.

Nowhere do any of Franck, Konno or Michaelis show or suggest, as required by independent claim 1 of the present application, a SIM card mounting structure of a mobile phone including a "pressing portion having one end integrally formed with said rear surface

portion of said front side casing.” (Emphasis added.) No cited reference has an integrally formed pressing portion.

With respect to Franck, the Office Action admits that Franck does not have an integral pressing portion.

With respect to Konno, the portion 20 that secures the SIM card has a hinge 21 on one end and the other end (which includes lockable tongue pieces 22) is detachable. Thus, neither end is integrally formed with the rear surface portion of the front side casing. The Office Action further admits that Konno “does not have one end integrally formed.” The Office Action states, inconsistently, that Konno shows an integrally formed structure as claimed, citing column 5, lines 3-8, and Fig. 1. But the cited portions merely show a “hinge part 21, which latches with rotation shaft 15.” The hinge is attached to the housing 11 by rotation shaft 15, which shows that this hinge cannot be integral to anything.

Michaelis was added for its electrode terminal feature, not its pressing portion. Applicants respectfully point out that the portion in Michaelis that secures the SIM card has on one end pivot pins 44 while the other is detachable. (See Fig. 10.)

In short, none of the references cited show “a pressing portion having one end integrally formed with said rear surface portion of said front side casing”, as expressly required in claim 1.

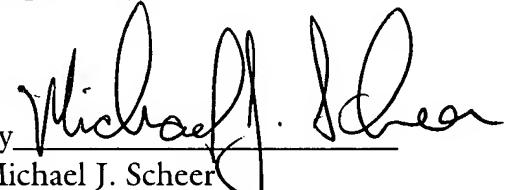
Accordingly, the Office Action has failed to make out a *prima facie* case of obviousness because not just one but all three references lack the claim limitations required by claim 1. Withdrawal of the rejection of claim 1 is respectfully requested.

Claims 2-12 depend on claim 1 and include all the limitations therein in addition to other patentable limitations. Withdrawal of the rejections of claims 2-12 is respectfully requested. "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." M.P.E.P. § 2143.03, quoting *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

Applicants have amended Fig. 3 to overcome the Examiner's objections thereto. Further, Applicants have shown that all pending claims are patentable under 35 U.S.C. § 103. In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance and such action is earnestly solicited.

Dated: October 15, 2004

Respectfully submitted,

By 
Michael J. Scheer

Registration No.: 34,425
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicants

MJS/AJH/rra
Attachments



Annotated Marked-Up Drawings

3/4

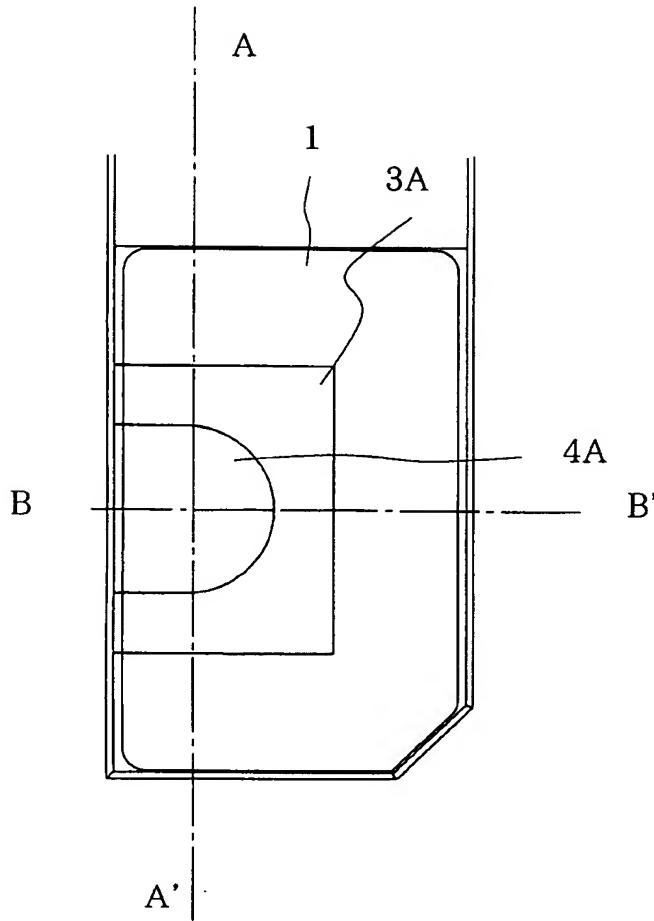


FIG. 3a

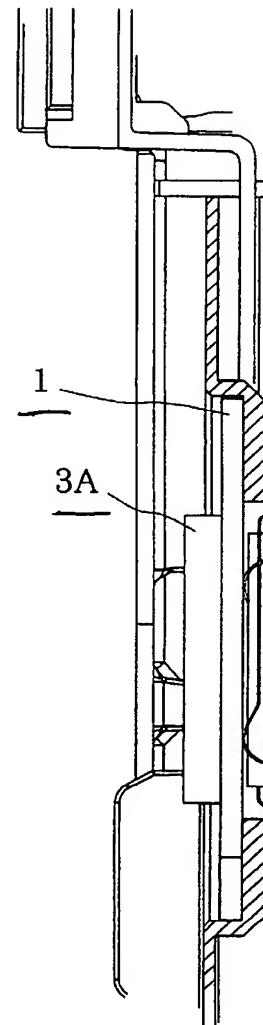


FIG. 3b

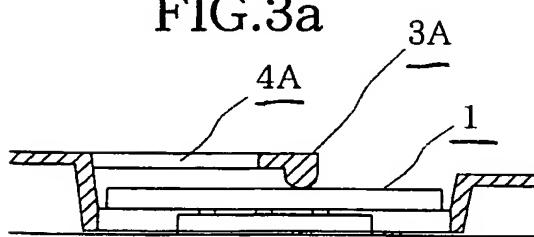


FIG. 3c